

MESSAGE NO: 4322307 MESSAGE DATE: 11/18/2014

MESSAGE STATUS: Active CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: 12/21/1994 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Antidumping duty scope determination on cased pencils from the People's Republic of China (A-570-827).

1. Commerce received a scope ruling request from West Texas Lighthouse for the Blind (West Texas). Commerce issued a final scope determination on 10/27/14 that West Texas' flexible pencils which West Texas imports are not within the scope of the antidumping duty order on cased pencils from the People's Republic of China (A-570-827).
2. Commerce determined that West Texas' flexible pencils are outside the scope of the order because a rigid sheath is among the physical criteria set forth in the petition, and West Texas' flexible pencils are very easy to bend and, thus, not rigid. Therefore, West Texas' flexible pencils are not within the scope of the antidumping duty order on cased pencils from the People's Republic of China.
3. For all entries of West Texas' flexible pencils not within scope that remain unliquidated on or after 12/21/1994, CBP shall terminate suspension and liquidate entries of product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to West Texas' flexible pencils described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of West Texas' flexible pencils entered, or withdrawn from warehouse, for consumption on or after 12/21/1994.
6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is

payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of cased pencils from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OI:JM.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party